

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHANTEL MARIE AZURE,

Defendant.

CR 22-21-GF-BMM-JTJ

FINDINGS AND  
RECOMMENDATIONS

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**I. Synopsis**

Defendant Chantel Marie Azure (Azure) has been accused of violating a condition of her supervised release. (Doc. 51). Azure admitted the alleged violation. Azure's supervised release should be revoked. Azure should be sentenced to TIME SERVED with 38 months of supervised release to follow. Azure shall be released at 6:00 p.m. on June 11, 2024.

**II. Status**

Azure plead guilty on August 15, 2022, to the offense of Conspiracy to Possess with Intent to Distribute Controlled Substance, in violation of 21 U.S.C. Section 846 as charged in Count I of the Indictment (Doc. 28). Azure was sentenced to 28

months of custody, followed by 4 years of supervised release. (Doc. 37). Azure's current term of supervised release began on December 11, 2023.

### **Petition**

On February 28, 2024, the United States Probation Office filed a Petition requesting that the Court revoke Azure's supervised release. (Doc. 51). The Petition alleged Azure violated conditions of her supervised release by: (1) being required to reside in a Residential Re-Entry Program for a period of 180 days, was deemed ineligible on February 27, 2024, to reside in the Great Falls Residential Re-Entry Center due to conduct and lack of engagement with her programming.

### **Initial Appearance**

Azure appeared before the Court on March 12, 2024 for her initial hearing. Azure was represented by counsel. Azure stated that she had read the Petition and that she understood the allegations against her. Azure waived her right to a preliminary hearing. The parties consented to proceed with the revocation hearing before the undersigned.

### **Revocation hearing**

The Court conducted a revocation hearing on March 12, 2024. Azure admitted that she had violated the conditions of supervised release as set forth in the Petition by: (1) being required to reside in a Residential Re-Entry Program for a period of 180 days, was deemed ineligible on February 27, 2024 to reside in the Great Falls

Residential Re-Entry Center due to conduct and lack of engagement with her programming. The Court continued sentencing upon motion of the Defendant for 90 days.

### **Sentencing hearing**

Azure appeared before the Court on June 11, 2024. The Court noted that Azure had previously admitted to violating the terms of her supervised release as set forth above. The violations are serious and warrant revocation of Azure's supervised release.

Azure's violation is a Grade C violation. Her criminal history category is I. Azure's underlying offense is a Class B felony. Azure could be incarcerated for up to 36 months. Azure could be ordered to remain on supervised release for 48 months less any custody time imposed. The United States Sentencing Guidelines call for a term of custody of 3 to 9 months.

### **III. Analysis**

Azure's supervised release should be revoked. Azure should be sentenced to TIME SERVED with 38 months of supervised release to follow. This sentence is sufficient but not greater than necessary.

### **IV. Conclusion**

The Court informed Azure that the above sentence would be recommended to the Chief United States District Judge Brian Morris. The Court also informed

Azure of her right to object to these Findings and Recommendations within 14 days of this issuance. The Court explained to Azure that Judge Morris would consider a timely objection before making a final determination on whether to revoke his supervised release and what, if any, sanction to impose. Azure stated that she wished to waive her right to object to these Findings and Recommendations, and that she wished to waive his right to allocute before Judge Morris.

The Court **FINDS:**

That CHANTEL MARIE AZURE has violated the conditions of her supervised release by: (1) being required to reside in a Residential Re-Entry Program for a period of 180 days, was deemed ineligible on February 27, 2024, to reside in the Great Falls Residential Re-Entry Center due to conduct and lack of engagement with her programming.

The Court **RECOMMENDS:**

That the District Court revoke Azure's supervised release and sentence Azure to TIME SERVED, with 38 months of supervised release to follow. Azure shall be released at 6:00 p.m. on June 11, 2024. This Court further recommends that during the first 60 days of Azure's supervised release term, Azure shall be placed at the Gyst House. Additionally, this Court further recommends that if Azure, in consultation with her probation officer, is advised she may remain at the Gyst House for another 30 days, she should do so.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND  
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO  
OBJECT**

The parties may serve and file a written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. Section 636(b)(1). A United States district court judge will make a de novo determination regarding any portion of the Findings and Recommendations to which objection is made. The district court judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the district court judge and may waive the right to appear and allocute before a district court judge.

DATED this 12th day of June, 2024.

  
John Johnston  
United States Magistrate Judge